

JAN 18 2007

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### FAX COVER PAGE

DATE: January 18, 2007

PAGES INCLUDING THIS PAGE: 19

TO: United States Patent and Trademark Office  
 COMPANY: Examiner Anuradha Ramana  
 Group Art Unit 3733

FAX NUMBER: 571-273-8300  
 PHONE NUMBER:

FROM: Douglas A. Collier

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RE: Response to Communication for U.S. Patent Application No. 10/769,569 to Roy Lim, et al.

COMMENTS: I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at 571-273-8300 on:

January 18, 2007  
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 Name of Registered Representative

*Douglas A. Collier*  
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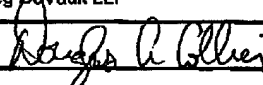
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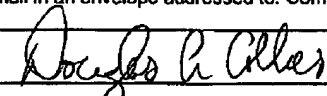
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/769,569
	Filing Date	January 30, 2004
	First Named Inventor	Roy Lim, et al.
	Art Unit	3733
	Examiner Name	Anuradha Ramana
	Attorney Docket Number	MSDI-219/PC902.00
Total Number of Pages in This Submission		18

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Fax Cover Sheet; Response to Communication of December 18, 2006
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Krieg DeVault LLP		
Signature			
Printed name	Douglas A. Collier		
Date	January 18, 2007	Reg. No.	43,556

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Douglas A. Collier	Date	January 18, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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DAC:KD\_IM-877408\_1

JAN 18 2007

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:	)	Before the Examiner
Roy Lim	)	Anuradha Ramana
	)	
Application Serial No. 10/769,569	)	Group Art Unit 3733
	)	
Filed: January 30, 2004	)	Ref. No. MSDI-219/PC902.00
	)	
INSTRUMENTS AND METHOD FOR	)	
MINIMALLY INVASIVE SPINAL	)	January 18, 2007
STABILIZATION	)	

**RESPONSE TO COMMUNICATION OF DECEMBER 18, 2006**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

In response to the communication from the USPTO dated December 18, 2006, please enter and consider the following remarks. No extensions of time or fees are believed due. However, please provide any extensions of time that may be necessary and charge any fees which may be due to Deposit Account No. 12- 2424, but not to include any payment of issue fees.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at 571-273-8300 on:

January 18, 2007  
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Douglas A. Collier  
Name of Registered Representative

  
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January 18, 2007  
Date of Signature

Response to Dec. 18, 2006 Communication  
Serial No. 10/769,569  
Atty. Docket No. MSDI-219/PC902.00  
Page 1 of 17